

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 23, 1938.

The City Council of the City of Austin, Texas, convened in regular session at the regular meeting place in the City Hall on June 23, 1938, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF THREE HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (\$375,000.00), FOR THE PURPOSE OF THE CONSTRUCTION AND IMPROVEMENT OF THE PUBLIC FREE SCHOOL BUILDINGS IN THE CITY OF AUSTIN, AND THE PURCHASE OF GROUNDS AND EQUIPMENT THEREFOR, AND PROVIDING FOR THE PAYMENT OF SAID BONDS

The ordinance was read the first time, and, upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was suspended and the ordinance was passed to its second reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time, and, upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was further suspended and the ordinance was passed to its third reading, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time, and, upon motion of Councilman Gillis, seconded by Councilman Alford, the ordinance was finally passed, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WILSON STREET northerly 86 feet from a point 48 feet north of the north line of West Live Oak Street, the centerline of which gas main shall be 36 feet west of and parallel to the east line of said Wilson Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in FOREST TRAIL from Stamford Way northerly 153 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Forest Trail.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in CHALMERS AVENUE from Willow Street north 121 feet, the centerline of which gas main shall be 13½ feet west of and parallel to the east line of said Chalmers Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(4) A gas main in SINCLAIR AVENUE northerly 100 feet from West 47th Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Sinclair Avenue.

Said main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, on March 6, 1896, S. C. Granberry and M. C. Granberry did file with the County Clerk of Travis County, Texas, a map or plat of a subdivision of land out of the Isaac Decker League and being within Travis County, Texas; and

WHEREAS, said map or plat showing Westend Addition was recorded March 7, 1896; and

WHEREAS, upon said map or plat were shown various lots and blocks, said lots and blocks being separated by various streets; and

WHEREAS, the streets shown thereon were not named at the time said map or plat was recorded and said streets have not been named at the present time; and

WHEREAS, said Westend Addition is now within the corporate limits of the City of Austin, Travis County, Texas; and

WHEREAS, great confusion is caused among public records and among delivery service due to the fact that said streets have no names; and

WHEREAS, it is deemed advisable by the City Council of the City of Austin at this time to assign names to the said streets in said Westend Addition in order to avoid further confusion; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT that certain street separating Block A and Block B of said Westend Addition be known and designated hereafter as NASH AVENUE; and

THAT that certain street separating Block B and Block C of said Westend Addition be known and designated hereafter as BAUERLE AVENUE; and

THAT that certain street traversing Block C of said Westend Addition and extending in a northerly and southerly direction and being bounded on the east by Lots 11 and 22 of said Block C and being bounded on the west by Lots 12 and 21 of said Block C be known and designated hereafter as GARNER AVENUE; and

THAT that street traversing said Block C in an easterly and westerly direction and being bounded on the south by Lots 24 to 30, both inclusive, of said Block C and being bounded on the north by Lots 17 to 23, both inclusive, of said Block C, be known and designated hereafter as HETHER STREET.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, the Quality Mills, acting by and through W. H. Dodson, Manager, owner of Lot 5, Block 188 of the Original City of Austin, Travis County, Texas, which property abuts the west side of Nueces Street at a location north of West Second Street and being adjacent to the alley traversing said Block 188, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the west sidewalk area of said Nueces Street at the above described location, as shown upon the plan hereto attached marked 2-C-746, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Quality Mills, acting by and through W. H. Dodson, Manager, owner of Lot 5, Block 188, of the Original City of Austin, Travis County, Texas, which property abuts the west side of Nueces Street at a location north of West Second Street, and being adjacent to the alley traversing said Block 188, is hereby permitted to construct a commercial driveway across the west sidewalk area of said Nueces Street at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-746, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Thomas Matthew Gilleapie, 202 West 17th Street; Willie Harmon Williams, 306 West Ninth Street; and W. E. Jamison, 700 West Avenue. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The public hearing on the zoning of the recently annexed territory was reopened, and the following persons appeared and were heard:

Frank W. King, who asked that the triangular strip extending from Fredericksburg Road to Goodrich Avenue be zoned as "C" Commercial, on the ground that said property was fit for commercial purposes only because of the proximity of the negro church and cemetery ;

Mrs. Otis Vaughan, who, individually, and for adjacent property owners, objected to the classification of the above named property as "C" Commercial, on the ground that it would destroy the residential value of surrounding property and retard the sale of

beautiful building sites, and asked that same be zoned as "A" Residence.

After considerable discussion, Mayor Miller moved that at the present time the City Council sustain the recommendation of the City Plan Commission that the property fronting on Fredericksburg Road from Oxford Avenue to Blue Bonnet Lane, including the triangular strip in question, be zoned as "C" Commercial, with the proviso that later if developments justify, and the negro church and cemetery are moved, and abutting property owners request that said triangular strip be rezoned as "A" Residence, the matter be reconsidered. The motion was seconded by Councilman Bartholomew. Upon roll call, the motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, and Mayor Miller; nays, Councilmen Gillis and Wolf.

The matter of determining the depth to which the "C" Commercial District should extend from the Fredericksburg Road was referred to the City Plan Commission for reconsideration.

The hearing was then continued to the next regular meeting.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed against Fannie E. Richey Estate for the years 1927 to 1936, inclusive, on Lots 4 and 11, Block "B", Outlet 3, Division "2", Terrace Park, Plat 95, in the City of Austin, Travis County, Texas; and

WHEREAS, taxes for said years have been delinquent, and the interest of 6% on the amount of same has accrued, and a penalty of 5% on the amount of said taxes has been duly assessed; and

WHEREAS, said described land has been in litigation, and under the circumstances, the City Council of the City of Austin, Texas, deems it just and equitable to remit said penalty and one-half the interest which has accrued on the aforesaid taxes, on condition that the taxes and one-half the interest thereon be promptly paid; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalties and 1/2 the interest on said taxes are hereby remitted, on condition that said taxes, together with 1/2 the accrued interest thereon, be promptly paid, and the Tax Assessor and Collector of the City of Austin is authorized and directed that if all the delinquent taxes on the above described property assessed in the name of Fannie E. Richey Estate, together with 1/2 the accrued interest to the date of payment is promptly paid, to charge said penalty and 1/2 the interest thereon off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes, together with 1/2 the interest thereon.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

At the request of the owners, the City Manager was authorized to execute a quitclaim deed to an alley extending through the property of the Austin Womens Club at Eighth and San Antonio Streets.

Upon motion, seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

ATTEST:

Helen McKeen
City Clerk

Approved: John Miller
Mayor